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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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John R. Hind

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8532

7590

06/13/2006

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EXAMINER

STEVENS, ROBERT

ART UNIT

PAPER NUMBER

2176

DATE MAILED: 06/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/954,951

Applicant(s)

HIND ET AL.

Examiner

Robert Stevens

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to communications: amendment filed 2/8/2006.
2. This action is **FINAL**.
3. The Office maintains the previous rejections of the claims under 35 U.S.C. §103(a), in light of the amendment.
4. Claims 1-53 are pending. Claims 1, 24-25, 32, 42 and 46 are independent.

#### *Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-7, 10-16, 24-29, 32-35, 42-44 and 46-49 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hütsch et al (US Patent Application Publication No. 2001/0034771, filed Jan. 12, 2001, hereafter referred to as "Hütsch") in view of Alan Richmond, "HTML's META-tag: HTTP-EQUIV", Web Developer's <Virtual Library>, Oct. 12, 1999, pp. 1-3, hereafter referred to as "Richmond").

**Independent claim 1 states:**

*A method of incrementally rendering content in a content framework, comprising steps of:*

*receiving a request for a portal page, wherein one or more portlets provide content for the portal page;*  
*immediately returning a response message containing a first document the first document representing results from portlets which have acquired their content; and*  
*programmatically generating a mechanism for delivering an updated document if the first document does not represent results of all portlets.*

Hütsch discloses a network portal system comprising portlets and requests therefor in Figure 3A showing a portlet manager #321 that interacts with portlets 1 – N (element #324) when such portlets are requested via a client device as described in paragraphs [0018] and [0122]-[0124]. Hütsch further discloses delivering portlet pages in paragraph [0128] discussing the delivery and display of portlet pages on client devices as markup language pages. It is noted that the “if” clause (i.e., “if the first document does not represent results of all portlets”) of the third limitation renders the subject of that clause optional.

However, Hütsch does not explicitly disclose the programmatic updating of the delivered document. Richmond, though, teaches the programmatic updating of document caches in middle of page 1, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv=”Expires”).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in the middle of page 1,

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discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Regarding dependent claims 2-6**, Hütsch does not explicitly disclose the use of refresh triggers. Richmond, though, teaches the programmatic updating of document caches in the middle of page 1, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Expires"). Richmond further discusses the updating of web pages in the "Meta Refresh" section of page 2, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Refresh").

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in p. 1, middle of page discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Regarding dependent claim 7**, Hütsch discloses the use of WML in paragraph [0099], discussing the well-known use of WML.

**Regarding dependents claim 10-12,** Hütsch does not explicitly disclose the well-known use of <META> tags, which implement refresh triggers. Richmond, though, teaches HTML's <META> tag and the HTTP-EQUIV for binding an element to an HTTP header on pages 1 and 2, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Expires"), and updating web pages in the "Meta Refresh" section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web page update or refresh. It was merely an obvious variant to one skilled in the art at the time of the invention as to what value one used as the refresh rate.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in p. 1, middle of page discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Regarding dependent claims 13-14,** Hütsch discloses configurable parameters in paragraphs [0151] and [0156], discussing user settings and application and device-specific configuration parameters. However, Hütsch does not explicitly disclose modifying fetch times with values (e.g., weights or constants). Richmond, though, teaches updating web pages in the "Meta Refresh" section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web page update or refresh. It was well-known to one skilled in the art at the time of the invention that constants may be added to values.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch in view of LeMay, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in p. 1, middle of page discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Regarding dependent claim 15**, Hütsch discloses receiving a message from a client, a client receiving a multipart document and rendering the multipart document in paragraphs [0100] and [0125]-[0128], discussing a client request for a multipart document (containing portlets) and the subsequent rendering of that multipart document on the client.

However, Hütsch does not explicitly HTTP responses. Richmond, though, teaches HTML's <META> tag and the HTTP-EQUIV for binding an element to an HTTP response header on pages 1 and 2, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv="Expires"), and updating web pages in the "Meta Refresh" section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web page update or refresh.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in p. 1, middle of page

discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Regarding dependent claim 16**, Hütsch discloses identifying a condition in which portlet information is not available in paragraphs [0201] and [0128], discussing the generation of an error message if a portlet request cannot be processed. However, Hütsch does not explicitly disclose sending updates. Richmond, though, teaches updating web pages in the "Meta Refresh" section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web page update or refresh.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch in view of LeMay, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in p. 1, middle of page discussing the HTTP-EQUIV = "Expires" attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Independent claim 24 states:**

*A method of incrementally rendering content in a content framework, comprising steps of:*

*receiving a request for a portal page, wherein one or more portlets provide content for the portal page;*

*immediately returning a response message containing a first document, the first document representing results from portlets which have acquired their content; and*

*automatically delivering an updated document if the first document does not represent results of all portlets.*

Hütsch discloses a network portal system comprising portlets and requests therefor in Figure 3A showing a portlet manager #321 that interacts with portlets 1 – N (element #324) when such portlets are requested via a client device as described in paragraphs [0018] and [0122]-[0124]. Hütsch further discloses delivering portlet pages in paragraph [0128] discussing the delivery and display of portlet pages on client devices as markup language pages. It is noted that the “if” clause (i.e., “if the first document does not represent results of all portlets) of the third limitation renders the subject of that clause optional.

However, Hütsch does not explicitly disclose the programmatic updating of the delivered document. Richmond, though, teaches the programmatic updating of document caches in middle of page 1, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv=”Expires”).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in the middle of page 1, discussing the HTTP-EQUIV = “Expires” attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Independent claim 25 states:**

*A method of incrementally rendering content in a content framework, comprising steps of:*

*receiving a request for a portal page frame, wherein one or more portlets provide content for the portal page frame;*

*immediately returning a response message containing a first mini-document, the first document representing results from portlets which have acquired their content; and*

*programmatically generating a mechanism for delivering an updated mini-document if the first mini-document does not represent results of all portlets.*

Hütsch discloses a network portal system comprising portlets and requests therefor in Figure 3A showing a portlet manager #321 that interacts with portlets 1 – N (element #324) when such portlets are requested via a client device as described in paragraphs [0018] and [0122]-[0124]. Hütsch further discloses delivering portlet pages in paragraph [0128] discussing the delivery and display of portlet pages on client devices as markup language pages. It is noted that the “if” clause (i.e., “if the first document does not represent results of all portlets) of the third limitation renders the subject of that clause optional.

However, Hütsch does not explicitly disclose the programmatic updating of the delivered document. Richmond, though, teaches the programmatic updating of document caches in middle of page 1, discussing the well-known use of an HTML <META> tag attribute (HTTP-Equiv=”Expires”).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in the middle of page 1, discussing the HTTP-EQUIV = “Expires” attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Independent claim 32** is directed to a system for implementing the method of claim 1.

As such, this claim is substantially similar to claim 1, and therefore likewise rejected.

**Regarding dependent claim 34**, Hütsch discloses means for receiving a client response message and rendering by a client a first document in paragraphs [0100] and [0201], discussing client transmission and document display. However, Hütsch does not explicitly disclose sending updates. Richmond, though, teaches updating web pages in the “Meta Refresh” section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web page update or refresh.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in p. 1, middle of page discussing the HTTP-EQUIV = “Expires” attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Independent claim 42** is directed to a system for implementing the method of claim 25.

As such, this claim is substantially similar to claim 25, and therefore likewise rejected.

**Independent claim 46** is directed to a computer program product comprising code for executing the method of claim 1. As such, this claim is substantially similar to claim 1, and therefore likewise rejected.

**Claims 26 and 43** are substantially similar to claim 3 and therefore likewise rejected.

**Claims 27 and 44** are substantially similar to claim 4 and therefore likewise rejected.

**Claim 28** incorporates the limitations of claims 5 and 6, and therefore is substantially similar to these claims and likewise rejected.

**Claim 29** is substantially similar to claim 11 and therefore likewise rejected.

**Claims 33 and 47** are substantially similar to claim 2 and therefore likewise rejected.

**Claims 35 and 49** are substantially similar to claim 16 and therefore likewise rejected.

**Claim 48** is substantially similar to claim 15 and therefore likewise rejected.

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7. **Claims 8-9 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hütsch (US Patent No. 6,668,353, filed Mar. 25, 1999, hereafter referred to as “Hütsch”) in view of Alan Richmond, “HTML’s META-tag: HTTP-EQUIV”, Web Developer’s <Virtual Library>, Oct. 12, 1999, pp. 1-3 (hereafter referred to as “Richmond”) and further in view of Morris (US Patent No. 6,453,361, filed Oct. 27, 2000, hereafter referred to as “Morris”).

**Regarding dependent claims 8-9**, Hütsch does not explicitly disclose the use of I-mode or HDML. Morris, though, teaches the well-known use of the cHTML markup language and the corresponding i-mode service in col. 4 lines 48-53 and col. 2 lines 53-54, respectively, discussing cHTML and i-mode.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Morris for the benefit of Hütsch in view of Richmond, because to do so would allow a user to communicate using a client device such as a cell phone as taught by Morris in col. 4 lines 47-53. These references were all applicable to the same field of endeavor, i.e., web page/service design.

8. **Claims 17-22, 30-31, 36-40, 45, and 50-53 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hütsch (US Patent No. 6,668,353, filed Mar. 25, 1999, hereafter referred to as “Hütsch”) in view of Alan Richmond, “HTML’s META-tag: HTTP-EQUIV”, Web Developer’s <Virtual Library>, Oct. 12, 1999, pp. 1-3 (hereafter referred to as “Richmond”) and further in view of Laura LeMay, SAMS Teach Yourself Web Publishing with HTML 4 in 21

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Days, 2<sup>nd</sup> Edition, Sam's Publishing, Indianapolis, IN, © 2000 (hereafter referred to as "LeMay").

**Regarding dependent claims 17-19**, Hütsch does not explicitly disclose embedding multiple parts in a document in which those parts are delimited by boundary strings and detecting that page elements have not acquired their content and responding via embedded parts in a multipart document. LeMay, though, teaches embedding of multiple parts in a document in the bottom of page 364, discussing code for embedding frames in a HTML document as further illustrated in Figure 12.10 of page 365. The code further illustrates delimiting parts of a multipart document using a frameset HTML instruction (bottom of page 364, noting `<frameset rows="*,*,*">` for preceding and `</frameset>` for terminating the code block).

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of LeMay for the benefit of Hütsch in view of Richmond, because to do so would allow a web publisher to display more than one HTML document, for instance, within a single browser as taught by LeMay in the p. 360 "Working with Frames" section, including Figure 12.7. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Regarding dependent claim 20**, Hütsch discloses receiving a message from a client, a client receiving a multipart document and rendering the multipart document in paragraphs [0100] and [0125]-[0128], discussing a client request for a multipart document (containing portlets) and the subsequent rendering of that multipart document on the client.

**Regarding dependent claim 21**, Hütsch discloses identifying a condition in which portlet information is not available in paragraphs [0201] and [0128], discussing the generation of an error message if a portlet request cannot be processed. However, Hütsch does not explicitly disclose sending updates. Richmond, though, teaches updating web pages in the “Meta Refresh” section on page 2, discussing the use of a <META> tag to indicate invocation of a URL after 90 seconds have elapsed to trigger a web page update or refresh.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Richmond for the benefit of Hütsch in view of LeMay, because to do so would allow a programmer to automatically refresh a document as taught by Richmond in p. 1, middle of page discussing the HTTP-EQUIV = “Expires” attribute. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Claim 22** incorporates the limitations of claims 18 and 19, and therefore is substantially similar to these claims and likewise rejected.

**Claims 31, 37, 40 and 53** are substantially similar to claim 22 and therefore likewise rejected.

**Claims 30, 36 and 45** are substantially similar to claim 17 and therefore likewise rejected.

**Claims 38 and 51** are substantially similar to claim 20 and therefore likewise rejected.

**Claims 39 and 52** are substantially similar to claim 21 and therefore likewise rejected.

**Claim 50** incorporates the limitations of claims 17, 18 and 19, and therefore is substantially similar to these claims and likewise rejected.

9. **Claims 23 and 41 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Hütsch (US Patent No. 6,668,353, filed Mar. 25, 1999, hereafter referred to as “Hütsch”) in view of Alan Richmond, “HTML’s META-tag: HTTP-EQUIV”, Web Developer’s <Virtual Library>, Oct. 12, 1999, pp. 1-3 (hereafter referred to as “Richmond”) and further in view of Kanefsky et al. (US Patent Application Publication No. 2002/0026500, provisionally filed Jun. 12, 2000, hereafter referred to as “Kanefsky”).

**Regarding dependent claim 23**, Hütsch does not explicitly disclose the insertion of a hyperlink into a document. Kanefsky, though, teaches inserting a new URL into a first document in paragraph [0062], discussing inserting a URL into a document to replace an existing URL.

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Kanefsky for the benefit of Hütsch in view of Richmond, because to do so would allow a server to perform relaying services to devices attached to a network as taught by Kanefsky in [0027]. These references were all applicable to the same field of endeavor, i.e., web page/service design.

**Claim 41** is substantially similar to claim 23 and therefore likewise rejected.

### ***Response to Arguments***

10. Applicant's arguments have been fully considered but they are not persuasive.

Applicant argues on pages 12-15 that, regarding independent claims 1, 32 and 46, the cited references do not teach the claimed limitations (e.g., immediately returning a response, and generating a mechanism “if” something does not occur), and the combination of the references is improper.

The Office respectfully disagrees. First, the Office notes that the limitation of “immediately returning” something is so broad as to be encompassed by any computer

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implementation. The Hütsch reference has been cited to reflect an “immediate returning” of document comprised of portlets. The Office notes that Applicant asserts on page 13 that the reference does not teach immediately returning “before all the information is gathered”, but the Office respectfully notes that such language does not appear in the claims. Additionally, Applicant asserts at the bottom of page 13 that no “determination of whether the first document represents the results of all the portlets”. The Office again respectfully notes that such language does not appear in the claims. The Applicant asserts that the Richmond reference is inapplicable for the same reasons as the Hütsch reference. However, the Office respectfully notes that Richmond was cited for its teachings of the well-known use of <META> tags and the HTTP-EQUIV attribute, which is applicable to Applicant’s subject matter, as evidenced to the explicit claim to the use of a <META> tag and the HTTP-EQUIV attribute in claim 6. The Applicant further asserts on page 14 that the Hütsch reference does not teach the claimed limitation stated in an “if” clause. The Office respectfully notes that an “if” clause states an optional condition, that it is not necessary that the reference teach such a limitation. The Applicant asserts that the motivation to combine the Hütsch and Richmond references is subjective and uses what the Applicant uses. The Office respectfully disagrees, and notes: 1) claim 6 is evidence that Richmond is not subjectively applied, because this claim explicitly recited the subject matter taught by the Richmond reference; 2) Richmond taught markup language programming practices that were well-known by one skilled in the art at the time of the invention, and thus reflected a conventional standard employed by the Applicant rather than a novel concept; and, 3) the motivation came from the references themselves.

Applicant argues on pages 15-16 that, regarding independent claims 24-25 and 42, the cited references are deficient for the same reasons as previously set forth regarding claim 1.

The Office respectfully disagrees. The Office asserts the position set forth immediately above in response to Applicants assertion regarding claim 1. The Office further notes that replacement of “programmatically generating” with “automatically delivering” language has no substantive effect on these arguments, as the wording is substantially similar. Applicant set forth no arguments to the contrary.

Applicant argues on page 17 that, regarding claims 16, 35 and 49, the cited references are deficient as not teaching document updates “if” a condition occurs.

The Office respectfully disagrees. The Office respectfully notes that an “if” clause states an optional condition, that it is not necessary that the reference teach such a limitation.

Applicant argues on pages 17-18 that, regarding claim 21, the Richmond reference does not teach the recited limitation.

The Office respectfully disagrees. The Office respectfully notes the references as a whole teach the claim as recited. The Richmond reference was recited for its teachings of updating or revising parts of web pages, while the primary reference, Hütsch, was relied upon for its teachings of detecting whether portlets have acquired their content.

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The Applicant asserts on page 18 that the motivation to combine the references (namely Morris, LeMay and Kanefsky) is based upon subjective belief and unknown authority.

The Office respectfully disagrees, noting that the motivation set forth in each case was provided by the references themselves.

For these reasons, the Office maintains/asserts the rejections under 35 USC 103(a) as set forth above.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

### **Conclusion**

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

### **Non-patent Literature**

Franklin, Michael, et al., "A Framework for Scalable Dissemination-Based Systems", OOPSLA '97, Oct. 1997, pp. 94-105 (plus citation page).

Berghel, Hal, "Mixed Media: The New Push for Push Technology", netWorker, Vol. 2 Issue 3, Jun. 1998, pp. 28-36 (plus citation page).

### **US Patent Application Publications**

Ferris et al	US2002/0010739
Bose et al	US2002/0042830
Sekiguchi et al	US2002/0083157
Khemlani et al	US2002/0049713
Lyman et al	US2002/0170060
Flesner et al	US2002/0194267
Shumaker et al	US2002/0152114
Etesse et al	US2002/0030781
Polizzi et al	US2002/0023158
Yokogawa	US2002/0007312
Rothkopf	US2002/0049727
Raymond	US2002/0161876
Anuff et al	US2002/0029296
Kahan et al	US2002/0024536
Bennett et al	US2002/0049655
Reddy et al	US2002/0091753

### **US Patents**

Dodrill et al	6,912,691
Krishan et al	6,442,529
Rangan et al	6,802,042
Rajan et al	6,725,425
Andersen	6,912,532
Dharap	6,892,206

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Stevens whose telephone number is (571) 272-4102. The examiner can normally be reached on M-F 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The current fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Additionally, the main number for Technology Center 2100 is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert Stevens  
Art Unit 2176  
Date: June 2, 2006

rs

*William S. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**